

REMARKS/ARGUMENTS

Claims 13 and 16-19 have been examined. New claims 25-29 have been added and find support in the specification, namely, in the paragraph that extends between pages 2-3 (amendment to Claim 13); fourth full paragraph of page 4 (Claim 25); paragraph that extends between pages 4-5 (Claim 26); description of Figure 1 on page 5 (Claim 27); last paragraph of page 6 (Claims 28); and the description of Figure 6, page 6 (Claim 28).

The office action dated on July 9, 2007 includes the following rejections:

1. Claims 13, 16, 17 and 19 are rejected under 35 U.S.C §102(e) as being anticipated by Hellberg (US 2002/0165619); and
2. Claims 13, 16, and 19 are rejected under 35 U.S.C §102(b) as being anticipated by Telikicherla (US 5,651,792)

Claims 13, 16, 17 and 19 are rejected under 35 U.S.C. §102(e)

The action rejects claims 13, 16, 17 and 19 under 35 U.S.C §102(e) as being anticipated by Hellberg, U.S. Patent Application Number 2002/0165619 (Hellberg). Applicants respectfully submit that the cited reference fails to meet the standard of 35 U.S.C. §102(e) as Hellberg does not disclose each and every limitation of the present invention.

Hellberg Figure 4 is marked as prior art and relates to the point of contact between prosthesis and user. The entirety of the Hellberg reference relates to structural or functional prosthesis that is custom molded for the user by using thermoplastic deformation. Following the teachings of Hellberg, the skilled artisan would make the prosthesis from a prosthesis liner blank that is soft and elastic and would customize the sleeve to an individual user using a thermoplastic material that is molded to a hollow, generally rotation symmetric shape having at least one radial dimension. The present patent application relates to a lightweight prosthesis that is cosmetic. The present inventors recognized a need in the art for a purely cosmetic (non-structural) prosthetic that mimics the missing limb, but that is sufficiently lightweight for users not having sufficient strength to handle a regular prosthesis, such as that taught by Hellberg. As such, Hellberg fails to teach a light prosthesis that is cosmetic and can be connected to a stump of the

missing limb in a manner as simple as possible.

Simply put, Hellberg does not disclose a light prosthesis as a visual substitute for a missing limb, comprising: a shaped body (1) for replacing the missing limb comprises a socket (2) for connecting the prosthesis to a stump (3) of the missing limb, wherein the shaped body (1) is made of a light synthetic material, and that the periphery of the socket (2) for connecting the prosthesis to the stump (3) is variable and serves a cosmetic function, which is critical for the mental health of individuals that may not have the strength (or need) for a standard prosthesis but can benefit from having a non-functional or structural visual replacement.

Applicants respectfully submit that claims 13, 16, 17 and 19 are not anticipated by Hellberg. Applicants respectfully request the withdrawal of the rejection under 35 U.S.C. § 102(e).

Claims 13, 16 and 19 are rejected under 35 U.S.C. § 102(b)

The action rejects claims 13, 16 and 19 under 35 U.S.C §102(b) as being anticipated by Telikicherla, *et al.* U.S. Patent Number 5,651,792 (Telikicherla). Applicants respectfully submit that the cited reference fails to meet the standard of 35 U.S.C. §102(b) as Telikicherla does not disclose each and every limitation of the present invention.

Telikicherla (US 5,651,792 A) describes a flexible lower limb prosthetic assembly with removable dressing that differs from a light prosthesis according to the present patent application. The flexible lower limb prosthetic assembly according to the Telikicherla reference **cannot** serve as an optical or cosmetic substitute for a missing limb. Further, the construction according Telikicherla does not allow a simple connection to the stump of the missing limb. The light-weight prosthesis according to the present patent application on the other hand includes a shaped body (1) for replacing the missing limb as naturally as possible, comprising a socket (2) for connecting the prosthesis to the stump (3) of the missing limb, wherein the shaped body (1) is made of a light synthetic material, and the periphery of the socket (2) for connecting the prosthesis to the stump (3) is variable that is cosmetic.

In order for a rejection under 35 U.S.C. §102(b) to be proper, the cited reference must teach each and every aspect of the claimed invention either explicitly or impliedly. See MPEP

§2131. As such, Telikicherla does not identically disclose the present invention. As elaborated in *Richardson v. Suzuki Motor Co.* "[t]he identical invention must be shown in as complete detail as is contained in the claim." 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1987). Applicants respectfully submit that claims 13, 16, and 19 are not anticipated by Telikicherla. Telikicherla does not meet the standard of 35 U.S.C. § 102 (b) namely, teaching all elements of the claimed invention and as such cannot anticipate the present invention. Applicants respectfully request the withdrawal of the rejection under 35 U.S.C. § 102(b).

CONCLUSION

Applicants respectfully submit that the claims in the application are in condition for examination. Favorable consideration and allowance of the pending Claims is therefore respectfully requested. The Examiner is invited to contact the undersigned with any questions, comments or suggestions relating to the referenced patent application.

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Respectfully submitted,
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